



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/329,923	06/10/1999	FABRICE AGNES	005974/0010	8774

27383 7590 07/15/2003

CLIFFORD CHANCE US LLP
200 PARK AVENUE
NEW YORK, NY 10166

EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 07/15/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/329,923

Applicant(s)
Agnes et al

Examiner
Steve Sax

Art Unit
2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 5, 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2174

DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al (5729673) and Bronfeld et al (6308144)
4. Regarding claim 1, Cooper et al show the software control method for forming a two dimensional view of a computer defined graphical model (Figure 5, column 1 lines 34-45), generating a drawing data item associated with a component of the two dimensional view (column 4 lines 35-53, column 5 lines 5-16), adding the drawing item to the view responsive to user activation (column 5 lines 15-37). Cooper et al do not specifically describe forming a user interface to control the addition, but do mention convenient ways to edit the model using an interface (column 5 lines 37-55). Furthermore, Bronfeld et al do show forming the separate sketcher plane interface to add a drawing item to a model (column 10 lines 49-67). This is done

Art Unit: 2174

fore convenient editing of the model. It would have been obvious to a person with ordinary skill in the art to have this feature in Cooper et al, because it would provide a convenient way to edit a model.

5. Regarding claim 2, Bronfeld et al show that the drawing feature is a dimension (column 10 lines 50-65).
6. Regarding claims 3-4, the drawing item is added after an expiration time if the system is not paused (Cooper et al column 4 lines 35-50).
7. Regarding claim 5, the item is modified (Cooper et al column 5 lines 38-57).
8. Regarding claim 6, a drawing item is deleted and will not appear in the subsequent views (Bronfeld et al abstract, column 15 lines 15-42, column 16 lines 33-50).
9. Regarding claim 7, the drawing item is stopped and an additional view is formed (Bronfeld et al column 16 lines 43-65).
10. Regarding claim 8, a modification is reproduced in a two dimensional view (Bronfeld et al column 16 lines 42-65).

Art Unit: 2174

11. Regarding claim 9, the drawing item may ne added automatically or with user intervention (column 16 lines 1-22).

12. Regarding claims 10-12, the drawing mode may be paused in which a user may modify data and generate data (Bronfeld et al column 16 lines 33-55).

13. Regarding claims 13-14, drawing data views may be filtered from being formed (column 16 lines 50-65 of Bronfeld et al).

14. Claims 15-23 show the same features as above and are rejected for the same reasons.

15. Applicant's arguments filed have been fully considered but they are not persuasive. . Note that the claims are broad. Applicants remark that in the prior art, user intervention to change any specific characteristic of drawing data would not have the same user flexibility. Note that the Examiner concedes that Cooper does not have the fully flexible user interface to modify the additions and changes, but in fact there is motivation to have such flexibility. Indeed, this is why the Bronfeld reference (which is obvious to incorporate per the motivation) is brought in - the combination does have the flexibility. Also, note that drawing data is extracted as shown above. Applicant's representative is welcome to contact Examiner to continue discussion of claim modification.

Art Unit: 2174

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

17. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

Art Unit: 2174

(703) 746-7238	After Final Communication
(703) 746-7239	Official Communication
(703) 746-7420	For Status Inquiries, draft communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



STEVEN SAX
PRIMARY EXAMINER